

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LABORERS' PENSION FUND and)	
LABORERS' WELFARE FUND OF THE)	
HEALTH AND WELFARE DEPARTMENT)	
OF THE CONSTRUCTION AND GENERAL)	
LABORERS' DISTRICT COUNCIL OF)	
CHICAGO AND VICINITY, and JAMES S.)	
JORGENSEN, Administrator of the Funds,)	
)	
Plaintiffs,)	Case No. 06 C 3232
v.)	
)	Judge Hart
FELIX COMPANY, INC., an Illinois)	
corporation,)	
)	
Defendant.)	

MOTION TO REINSTATE AND ENTER JUDGMENT AGAINST ANA FELIX,
INDIVIDUALLY

Now come Plaintiffs Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity and James S. Jorgensen, Administrator of the Funds (hereinafter collectively the "Funds"), by and through their attorney, Amy Carollo, and hereby request that this Court reinstate this matter against Defendant Felix Company, Inc. ("Felix") and to enter judgment against Ana Felix, individually, for violating the citation to discover assets. In support of this Motion, Plaintiffs state as follows:

1. On February 13, 2008, Felix filed a petition under Chapter 7 of the Bankruptcy Code, staying any actions to enforce or collect against Debtor pursuant to Section 362 of the Federal Rules of Bankruptcy Procedure. 11 USC § 362.

2. Prior to the commencement of the bankruptcy case, on June 13, 2006, the Funds filed a Complaint in the Northern District of Illinois, Eastern Division (06-CV-3232) against Defendant Felix Company, Inc. Amongst other things, the Funds sought to compel the Debtor to submit outstanding benefit contributions and dues for the audit period of June 1, 2004 through December 31, 2005.

3. On October 3, 2007, this Court entered judgment in favor of the Funds in the amount of \$244,211.43.

4. A Citation to Discover Assets ("Citation") was issued as to Defendant Felix Company, c/o Ana Maria Felix on October 23, 2007 returnable at the office of Plaintiffs' Counsel on Tuesday, November 20, 2007 at 1:00 p.m. A true and accurate copy of the Citation to Discover Assets is attached as Exhibit A.

5. The Citation was served at the Company's office/Office of the Registered Agent; the Company's Manager, David Felix, accepted service on October 28, 2007. A true and accurate copy of the Affidavit of Service of the Citation to Discover Assets is attached as Exhibit B.

6. The Citation deposition was conducted on January 18, 2008; it was entered and continued to February 8, 2008 to allow the Company to produce the documents required in the Citation. On February 13, 2008, the Company filed for Chapter 7 Bankruptcy.

7. The Citation states:

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the Judgment Debtor or to which the Judgment Creditors may be entitled or which may be acquired by or become due to the Judgment Debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the Judgment Debtor, until the further

order of court or termination of proceedings. You are not required to withhold the payment of any money beyond double the amount of the judgment. *See Exhibit A.*

8. After October 28, 2007, Ana Felix, as President of Felix Company, Inc., transferred or allowed to be transferred, non-exempt Felix property, namely twenty-eight (28) checks, totaling \$23,996.27. A copy of Felix's Check Register is attached as Exhibit C.

9. Upon service of the citation to discover assets, the judgment becomes a lien on the judgment debtor's property. 735 ILCS 5/2-1402(m)(1) (2008).

10. A court "may punish any party who violates the restraining provision of a citation as and for a contempt, or if the party is a third party may enter judgment against him or her in the amount of the judgment and costs allowable under this Section, or in the amount of the value of the property transferred, whichever is lesser." 735 ILCS 5/2-1402(f)(1) (2008). Corporate officers "are obligated to obey judicial orders directed at their corporations" and are personally liable when they permit the corporation to make payments in violation of the citation. *City of Chicago v. Air Auto Leasing Co.*, 297 Ill. App. 3d 873, 879 (Ill. App. 1998).

11. The Plaintiffs filed a Motion in Bankruptcy Case 08-BK-3265 seeking modification of the automatic stay to allow the Plaintiffs to reinstate Debtor Felix Company, in name only, in this instant federal court action in order to pursue Ana Felix in her individual capacity for making or allowing any transfer of Felix Company's assets in violation of the citation to discover assets. The Plaintiffs' Motion was granted and an Order Granting Relief

from the Automatic Stay was entered by United States Bankruptcy Judge John D. Schwartz on April 29, 2008. A true and accurate copy of Judge Schwartz's April 29, 2008 Order is attached hereto as Exhibit D.

12. Accordingly, Plaintiffs respectfully request that this Court reinstate case number 06 C 3232 against Defendant Felix Company, Inc. The Plaintiffs also request that this Court enter judgment against Ana Felix, individually, for violating the citation to discover assets lien when she transferred or allowed to be transferred, non-exempt Felix property, namely twenty-eight (28) checks, totaling \$23,996.27.

WHEREFORE, Plaintiffs respectfully request that this Court reinstate the case against Defendant Felix Company, Inc. and enter judgment against Ana Felix, individually, for violating the citation to discover assets.

Respectfully submitted,

Dated: May 2, 2008

Laborers' Pension Fund, et al.

By: /s/ Amy Carollo

Office of Fund Counsel
53 W. Jackson Blvd., Suite 550
Chicago, IL 60604
(312) 692-1540

CITATION TO DISCOVER ASSETS
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LABORERS' PENSION FUND and)
LABORERS' WELFARE FUND OF THE)
HEALTH AND WELFARE DEPARTMENT)
OF THE CONSTRUCTION AND GENERAL)
LABORERS' DISTRICT COUNCIL OF)
CHICAGO AND VICINITY, and JAMES S.)
JORGENSEN, Administrator of the Funds,)

Plaintiffs,)

v.)

FELIX COMPANY, INC., an Illinois)
corporation,)

Defendant.)

Case No. 06 C 3232

Judge Hart

Amount of Judgment: \$244,211.43

Date of Judgment: Judgment Order dated October 3, 2007

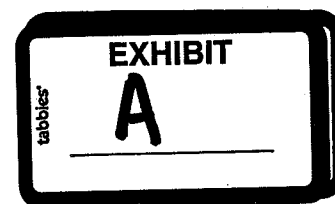
Balance Due: \$244,211.43

Name of Court: United States District Court for the Northern District of Illinois,
Eastern Division

Case Number: 06 C 3232

Name of Person Receiving Citation: Felix Company, Inc., c/o Ana Maria Felix, Registered
Agent, 15 W 673 Virginia Lane, Elmhurst, Illinois 60126

**WARNING: YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY
CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A
CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT
IN THE COUNTY JAIL.**



CITATION NOTICE

Name and Address of Court: United States District Court for the Northern District of Illinois, Eastern Division, 219 S. Dearborn St., 20th Floor, Chicago, Illinois 60604

Name of Case: Laborers' Pension Fund, et al. v. Felix Company, Inc.

Address of Judgment Debtor: Felix Company, Inc.,
c/o Ana Maria Felix, Registered Agent,
15 W 673 Virginia Lane
Elmhurst, Illinois 60126

Name and Address of Attorney for Judgment Creditor: Amy Carollo
LABORERS' PENSION AND WELFARE FUNDS
Sub-Office: 53 W. Jackson Blvd., Suite 550
Chicago, Illinois 60604

Amount of Judgment: \$244,211.43

Return Date and Time: Tuesday, November 20, 2007 at 1:00 p.m.

Location: Laborers' Pension and Welfare Fund, Fund Counsel Office,
53 W. Jackson Blvd., Suite 550, Chicago, IL 60604, (312)
692-1540, FAX: (312) 692-1489

NOTICE: The Court has issued a citation against the person or party named above. This Citation directs you to appear before the above named attorney for the Plaintiffs, at 53 W. Jackson Blvd., Suite 550, Chicago, IL 60604 on the return date stated above, for purpose of allowing the judgment creditor to discover income and assets belonging to the Judgment Debtor or in which the Judgment Debtor has an interest. The Citation was issued on the basis of a judgment against the Judgment Debtor in favor of the Judgment Creditors in the amount stated above. On or after the return date stated above, the Court may compel the application of any discovered income or assets toward payment on the judgment.

YOU ARE COMMANDED to produce at the examination all books, records and documents belonging to the business entity which include, but are not limited to:

1. All pass books, check books and bank statements, including proof of safety deposit boxes, money market accounts, certificates of deposit, treasury bills from 2002 through the present including all such accounts in which your interest is direct, indirect, legal or beneficial;
2. All deeds, bills of sale, documents which evidence or reflect real or personal ownership of property, leaseholds, and similar documents evidencing assets and the value thereof from 1988 to the present, including but not limited to mortgages on property, commercial paper, judgments, antiques, art, stamp or coin collections;
3. All stock certificates or other evidence of ownership of securities, bonds and like interests jointly or individually owned;
4. All books, records, papers in your possession and control which may contain information concerning property or income of, or indebtedness due judgment debtor;
5. Federal and State income tax returns and corresponding schedules for 2002 through the present;
6. All certificates of title to automobiles, trucks, trailers and other vehicles including boats, motor homes and accessories owned individually or jointly;
7. All documents which show direct or indirect interest in insurance policies, including names of insurance companies issuing each policy and an itemization of surrender of cash value of each in which the Judgment Debtor or any of its individual owners or operators had or has an interest;
8. An inventory of personal property owned individually or jointly owned;
9. All Financial accounting reports, and reports filed annually with the Secretary of State's office or any other governmental entity. Include financial statements prepared by defendant within the last five years in connection with their attempts to procure any loans or financing;
10. All canceled checks in any checking accounts and bank statements from 2002 to the present;
11. All documents establishing the Judgment Debtor's sources of income;
12. All lease documents entered into between the Judgment Debtor and any other third party;

13. All documents showing loans the Judgment Debtor obtained from any institutions or individuals including family members and insurance companies;
14. All documents which establish that you are a co-maker, endorser or guarantor of any loan;
15. All documents establishing purchases the Judgment Debtor made on an installment basis;
16. All documents which establish the existence of property at which you own an interest which is held by a third party.


YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the Judgment Debtor or to which the Judgment Creditors may be entitled or which may be acquired by or become due to the Judgment Debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the Judgment Debtor, until the further order of Court or termination of proceedings. You are not required to withhold the payment of any money beyond double the amount of the judgment.

The Judgment Debtor may have possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The Judgment Debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at the office of the United States District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, 20th Floor, Chicago, Illinois 60604. When so notified, the Clerk of the Court will obtain a prompt hearing from the Court and will provide the necessary forms that must be prepared by the Judgment Debtor or the Attorney for the Judgment Debtor and sent to the Judgment Creditor and the Judgment Creditors' attorney regarding the time and location of hearing. This notice may be sent by regular first class mail.

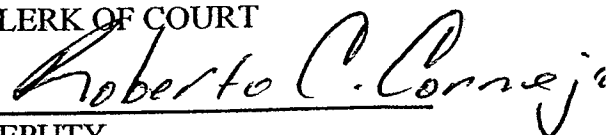
DECLARATION AND CERTIFICATE OF JUDGMENT CREDITOR

I, Amy Carollo, attorney for the Judgment Creditors, certify to the Court under penalties as provided by law pursuant to 735 ILCS 5/1-109, that all information stated herein is true.


Amy Carollo
October 23, 2007

Office of Fund Counsel
53 W. Jackson Blvd., Suite 550
Chicago, IL 60604
(312) 692-1540
(312) 692-1489 (FAX)

MICHAEL W. DOBBINS
CLERK OF COURT


Roberto C. Cornejo
DEPUTY

October 23, 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LABORERS' PENSION FUND and)
LABORERS' WELFARE FUND OF THE)
HEALTH AND WELFARE DEPARTMENT)
OF THE CONSTRUCTION AND GENERAL)
LABORERS' DISTRICT COUNCIL OF)
CHICAGO AND VICINITY, and JAMES S.)
JORGENSEN, Administrator of the Funds,)

Plaintiffs,)

v.)

FELIX COMPANY, INC., an Illinois)
corporation,)

Defendant.)

Case No. 06 C 3232

Judge Hart

JUDGMENT ORDER

This matter having come to be heard on Plaintiffs Laborers' Pension Fund and Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity (the "Funds") and James S. Jorgensen's Oral Motion for Entry of Judgment in Sum Certain, due notice having been given, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED:

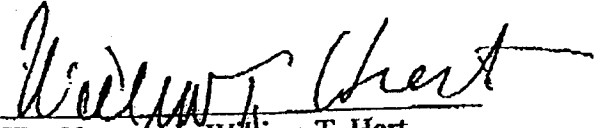
1. That judgment in sum certain is hereby entered in favor of the Plaintiffs and against Defendant Felix Company, Inc. (hereinafter the "Company") in the amount of \$244,211.43, as follows:

- (a) \$236,506.83 in unpaid contributions, interest, liquidated damages, union dues, and audit costs pursuant to an audit for the period of June 1, 2004 through December 31, 2005;

(b) \$7,704.60 representing attorneys' fees and costs.

2. Defendant Company is hereby ordered to pay post-judgment interest on all amounts set forth herein until they are paid to the Funds.

ENTER:


The Honorable William T. Hart
United States District Court Judge

Dated: 10/3/07

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	William T. Hart	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	06 C 3232	DATE	10/3/2007
CASE TITLE	Laborers' Pension Fund, et al. Vs. Felix Company, Inc.		

DOCKET ENTRY TEXT

Prove Up held. Court enters judgment in favor of plaintiffs and against defendant in the amount of \$244,211.48. Enter Judgment Order.

■ [For further detail see separate order(s).]

Docketing to mail notice

00:05

U.S. District Court Northern District of Illinois 2007 SEP 33 PM 4:56	Courtroom Deputy Initials:	CW
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

LABORERS' PENSION FUND, ET AL

PLAINTIFF(S)

vs.

FELIX COMPANY, INC.

DEFENDANT(S)

COURT DATE: 11/20/2007

Case No.
06 C 3232

AFFIDAVIT OF SERVICE OF:
CITATION TO DISCOVER ASSETS; CITATION NOTICE; DECLARATION
AND CERTIFICATE OF JUDGEMENT CREDITOR; JUDGEMENT ORDER

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

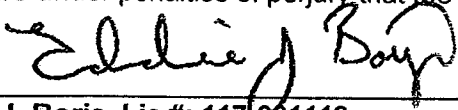
On Oct 28, 2007, at 3:10 PM, I served the above described documents upon **FELIX COMPANY, INC.** as shown below:

CORPORATE SERVICE was made by leaving a true and correct copy of the documents with **DAVID A FELIX / MANAGER**, officer, managing agent or authorized agent of the within named company.

Said service was effected at **15W673 VIRGINIA LANE, ELMHURST, IL 60126.**

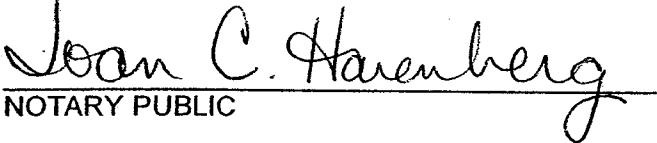
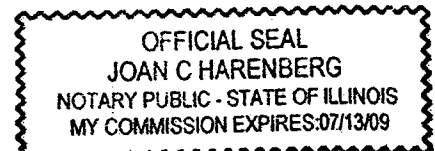
DESCRIPTION: Gender: **M** Race: **WHITE** Age: **40** Hgt: **5'9"** Wgt: **190** Hair: **BLACK** Glasses: **NO**

I declare under penalties of perjury that the information contained herein is true and correct.



Eddie J. Borja, Lic #: 117-001119
Judicial Attorney Services, Inc.
2100 Manchester Rd., Ste 900
Wheaton, IL 60187
(630) 221-9007

SUBSCRIBED AND SWORN to before me this 29th day of October, 2007


NOTARY PUBLIC

CLIENT NAME:
Laborers Pension and Welfare Funds*
FILE #:

ORIGINAL PROOF OF SERVICE

TRACKING #
34395



Attachment 5. F. A. 36.

AP720

FELIX COMPANY, INC.

PAGE 1

ACCOUNTING MONTH/YEAR:10/07

CHECK REGISTER

JAN 16, 2008 20:07

NOT POSTED TO LEDGER, VENDOR# 0 - 99999

VEND#	JOB #	PHAS	INVOICE#	SQ	VENDOR NAME	MO/YR	CHECK DATE	CASH ACCT #	DISCOUNT AMOUNT	PAYMENT AMOUNT	CHECK#	CHECK AMOUNT
3466	0	0	5737	70	INTERNAL REVENUE SERV	10/07	10/02/07	1020.00	.00	1,077.35	5737	1,077.35
2581	0	0	5738	70	GMAC PAYMENT PROCESSI	10/07	10/02/07	1020.00	.00	2,739.70	5738	2,739.70
3369	0	0	5739	70	IL DEPT OF REVENUE	10/07	10/02/07	1020.00	.00	432.00	5739	432.00
1019	0	0	5740	70	COMMONWEALTH EDISON	10/07	10/02/07	1020.00	.00	94.47	5740	94.47
3373	0	0	5741	70	ILLINOIS-AMERICAN WAT	10/07	10/02/07	1020.00	.00	135.50	5741	135.50
8811	0	0	5742	70	WASTE MANAGEMENT NORT	10/07	10/02/07	1020.00	.00	136.50	5742	136.50
7209	0	0	69021-IN	70	SAMS 24 HOUR TOWING S	10/07	10/02/07	1020.00	.00	263.14	5743	263.14
3368	0	0	5744	70	IL DEPT OF EMPLOYMENT	10/07	10/08/07	1020.00	.00	561.86	5744	561.86
2257	93000	100	5745	70	FRANCISCO SANCHEZ	10/07	10/26/07	1020.00	.00	2,392.50	5745	2,392.50
										.00		7,833.02
REPORT TOTALS ---> 9 CHECKS												
NET CHANGE IN AP \$ -7,833.02												
CASH TOTALS: ACCOUNT #1020.00 CASH-BLGIN (81159-01)												7,833.02

EXHIBIT

C

AP720

FELIX COMPANY, INC.

PAGE 1

ACCOUNTING MONTH/YEAR:11/07

CHECK REGISTER

JAN 30, 2008 1:37

NOT POSTED TO LEDGER, VENDOR# 0 - 99999

VEND#	JOB #	PHAS	INVOICE#	SQ	VENDOR NAME	MO/YR	CHECK DATE	CASH ACCT #	DISCOUNT AMOUNT	PAYMENT AMOUNT	CHECK#	CHECK AMOUNT
5798	0	0	C27497	70	ONE TIME VENDOR	11/07	11/29/07	1040.00	.00	709.96	1002	709.96
928	0	0	5746	70	CINGULAR WIRELESS	11/07	11/01/07	1020.00	.00	934.58	5746	934.58
5798	0	0	5747	70	ONE TIME VENDOR	11/07	11/01/07	1020.00	.00	1,351.00	5747	1,351.00
5322	0	0	5748	70	NICOR GAS	11/07	11/01/07	1020.00	.00	138.67	5748	138.67
2581	0	0	5749	70	GMAC PAYMENT PROCESSI	11/07	11/01/07	1020.00	.00	2,752.23	5749	2,752.23
7308	0	0	5750	70	SHELL OIL	11/07	11/01/07	1020.00	.00	990.70	5750	990.70
1024	0	0	5751	70	COMCAST	11/07	11/01/07	1020.00	.00	358.56	5751	358.56
2928	0	0	5752	70	HINKLEY SPRINGS	11/07	11/05/07	1020.00	.00	106.96	5752	106.96
4922	0	0	5753	70	MICHAEL J. MORRISROE,	11/07	11/07/07	1020.00	.00	498.00	5753	498.00
8811	0	0	5754	70	WASTE MANAGEMENT NORT	11/07	11/07/07	1020.00	.00	136.87	5754	136.87
33373	0	0	5755	70	ILLINOIS-AMERICAN WAT	11/07	11/01/07	1020.00	.00	122.07	5755	122.07
297	0	0	5756	70	A.T. & T.	11/07	11/01/07	1020.00	.00	103.95	5756	103.95
6302	0	0	5757	70	PUBLIC STORAGE SCHILL	11/07	11/13/07	1020.00	.00	641.28	5757	641.28
7208	0	0	5758	70	SAM FELIX	11/07	11/10/07	1020.00	.00	10,000.00	5758	10,000.00
5798	0	0	5759	70	ONE TIME VENDOR facto	11/07	11/10/07	1020.00	.00	500.00	5759	500.00
5776	0	0	5760	70	OLSON'S ACE HARDWARE	11/07	11/10/07	1020.00	.00	212.20	5760	212.20
1019	0	0	5761	70	COMMONWEALTH EDISON	11/07	11/10/07	1020.00	.00	14.11	5761	14.11
297	0	0	5762	70	A.T. & T.	11/07	11/10/07	1020.00	.00	58.61	5762	58.61
932	0	0	5763	70	CITY OF CHICAGO DEPT.	11/07	11/10/07	1020.00	.00	60.00	5763	60.00
7236	0	0	55940THI	70	SCHWARZ NURSERY, INC.	11/07	11/16/07	1020.00	.00	41.71	5764	41.71
1019	0	0	5765	70	COMMONWEALTH EDISON	11/07	11/10/07	1020.00	.00	145.58	5765	145.58
297	0	0	5766	70	A.T. & T.	11/07	11/10/07	1020.00	.00	97.36	5766	97.36

REPORT TOTALS ---> 22 CHECKS

.00

19,974.40

NET CHANGE IN AP \$ -19,974.40

CASH TOTALS:

ACCOUNT #1040.00 CASH-WASHINGTON MUTUAL

709.96

ACCOUNT #1020.00 CASH-ELGIN (81159-01)

19,264.44

AP720

FELIX COMPANY, INC.

PAGE 1

ACCOUNTING MONTH/YEAR:12/07

CHECK REGISTER

JAN 30, 2008 1:36

NOT POSTED TO LEDGER,VENDOR# 0 - 99999

VEND#	JOB #	PHAS	INVOICE#	SQ	VENDOR NAME	MO/YR	CHECK DATE	CASH ACCT #	DISCOUNT AMOUNT	PAYMENT AMOUNT	CHECK#	CHECK AMOUNT	
5798	0	0	115366	70	ONE TIME VENDOR	12/07	12/20/07	1040.00	.00	150.00	1004	150.00	
7308	0	0	1005	70	SHELL OIL	12/07	12/20/07	1040.00	.00	1,309.16	1005	1,309.16	
5798	0	0	1272	70	ONE TIME VENDOR	12/07	12/10/07	1020.00	.00	1,058.97	5767	1,058.97	
2928	0	0	5768	70	HINKLEY SPRINGS	12/07	12/17/07	1020.00	.00	95.74	5768	95.74	
6302	0	0	5769	70	PUBLIC STORAGE SCHILL	12/07	12/18/07	1020.00	.00	641.28	5769	641.28	
5798	0	0	5770	70	ONE TIME VENDOR	12/07	12/17/07	1020.00	.00	766.72	5770	766.72	
REPORT TOTALS ---> 6 CHECKS										.00			4,021.87
NET CHANGE IN AP \$ -4,021.87													
CASH TOTALS:													
													ACCOUNT #1040.00 CASH-WASHINGTON MUTUAL 1,459.16
													ACCOUNT #1020.00 CASH-ELGIN (81159-01) 2,562.71

.00

AP720

FELIX COMPANY, INC.

PAGE 1

ACCOUNTING MONTH/YEAR: 1/08

CHECK REGISTER

JAN 30, 2008 1:37

NOT POSTED TO LEDGER, VENDOR# 0 - 99999

VEND#	JOB #	PHAS	INVOICE#	SQ	VENDOR NAME	MO/YR	CHECK DATE	CASH ACCT #	DISCOUNT AMOUNT	PAYMENT AMOUNT	CHECK#	CHECK AMOUNT

REPORT TOTALS ---> 0 CHECKS												
NET CHANGE IN AP \$.00												
.00												

**REQUIRED STATEMENT TO ACCOMPANY
ALL MOTIONS FOR RELIEF FROM STAY**

All Cases: Debtor(s) Felix Company, Inc. Case No. 08-03265 Chapter 7

All Cases: Moving Creditor Laborers' Pension Fund, et al Date Case Filed February 13, 2008

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe) _____

Chapter 13: Date of Confirmation Hearing _____ or Date Plan Confirmed _____

Chapter 7: ☐ No-Asset Report Filed on _____
☒ No-Asset Report not Filed, Date of Creditors Meeting April 8, 2008

1. Collateral
 - a. ☐ Home
 - b. ☐ Car Year, Make, and Model _____
 - c. ☐ Other (describe) _____
2. Balance Owed as of Petition Date \$ 244,211.43
Total of all other Liens against Collateral \$ _____
3. Estimated Value of Collateral (*must* be supplied if motion alleges no equity) \$ _____
4. Default
 - a. ☐ Pre-Petition Default
Number of months _____ Amount \$ _____
 - b. ☐ Post-Petition Default
 - i. ☐ On direct payments to the moving creditor
Number of months _____ Amount \$ _____
 - ii. ☐ On payments to the Standing Chapter 13 Trustee
Number of months _____ Amount \$ _____
5. Other Allegations
 - a. ☐ Lack of Adequate Protection § 362(d)(1)
 - i. ☐ No insurance
 - ii. ☐ Taxes unpaid Amount \$ _____
 - iii. ☐ Rapidly depreciating asset
 - iv. ☐ Other (describe) _____
 - b. ☐ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)
 - c. ☒ Other "Cause" § 362(d)(1)
 - i. ☐ Bad Faith (describe) _____
 - ii. ☐ Multiple Filings
 - iii. ☒ Other (describe) post-judgment citation proceedings for non-estate assets...
 - d. Debtor's Statement of Intention regarding the Collateral
 - i. ☐ Reaffirm
 - ii. ☐ Redeem
 - iii. ☐ Surrender
 - iv. ☐ No Statement of Intention Filed

Date: March 19, 2008

Amy Carollo
Counsel for Movant

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	Chapter 7
)	Case No. 08-3265
FELIX COMPANY, INC.,)	Judge Squires
)	Hearing Date: March 28, 2008
Debtor.)	

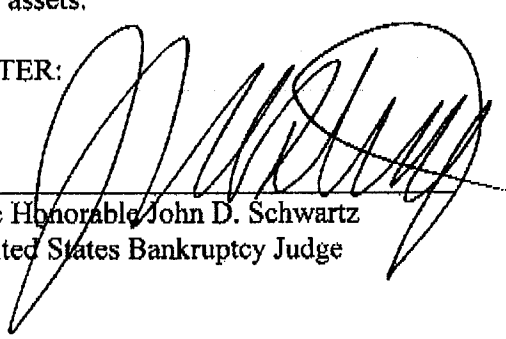
ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

This matter having come to be heard on the Motion of Movant Laborers' Pension Fund and Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity and James S. Jorgensen for Relief from the Automatic Stay, due notice having been given, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED THAT:

1. Pursuant to Section 362(d) of the Bankruptcy Code, the automatic stay in this case is hereby modified to permit the Laborers' Funds to reinstate Debtor Felix Company, Inc., in name only, in their federal court action in the Northern District of Illinois (06-CV-3232) to pursue Ana Felix in her individual capacity for making or allowing any transfer of Felix Company's assets in violation of the citation to discover assets.

ENTER:


The Honorable John D. Schwartz
United States Bankruptcy Judge

29 APR 2008

Dated: _____

EXHIBIT

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CERTIFICATE OF SERVICE

The undersigned certifies that she caused copies of the foregoing Motion to Reinstate and to Enter Judgment Against Ana Felix, Individually, to be served upon the following persons by mailing a copy to the addressees noted below and depositing same in the U.S. Mail at 111 W. Jackson Blvd., Chicago, Illinois 60604 on May 2, 2008 with proper postage prepaid.

Mr. Kent Gaertner
Springer, Brown, Covey, Gaertner & Davis
400 S. County Farm Rd.
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Wheaton, IL 60187

Ms. Brenda Porter Helms ESQ, Trustee
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3400 West Lawrence
Chicago, IL 60625

Ana Maria Felix
15W673 Virginia Lane
Elmhurst, IL 60126

Courtesy Copy
Francis John Wesolowski
Michael J. Morrisroe Ltd.
114 South Bloomingdale Road
Bloomingdale, IL 60108

/s/ Amy Carollo